

much as the application of this decree in every case of a mixed marriage affects a party who is not under the jurisdiction of the Church of Rome, and traverses the law of the land and the law of all non-Roman Catholic Churches by declaring invalid a marriage duly solemnised according to those laws, and inasmuch as this decree has been so applied as to disturb the peace of families and break up homes and seriously affect the social standing of members of homes, the Assembly call upon the Government to devise some means for the protection of the social interests and the civil rights of all parties affected by this decree, and in view of the grave risks to domestic happiness and religious well-being involved in mixed marriages, they exhort their faithful people to avoid contracting marriages of that nature; and the Assembly further directs that a copy of this deliverance be sent by the clerk of Assembly to the Government through Sir Joseph Ward.' There are here no such epithets as 'infamous and intolerant,' 'cruelty, intolerance, and iniquity,' 'immorality and intolerance,' 'morally monstrous,' etc. These are the achievement only of the Rev. Robert Wood, and he is entitled to all the glory of them.'

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"Your correspondent blunders very badly in his reference to the supposed attitude of the Catholic Church regarding marriage with a deceased wife's sister. While regarding such marriages as generally speaking undesirable, the Church has never taken the view that they are 'incestuous,' or objectionable on racial grounds, or that they are absolutely contrary to the 'law of God'; and in the two instances mentioned by your correspondent she was acting quite consistently with her general teaching and practice. It is not the 'deputy censor' but the Waikari theologian who has been asleep. He was evidently ignorant of the real Catholic attitude on the subject, so made a shot at it—and missed."

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'In inferentially admitting—as he is compelled to admit—the correctness of my history of Presbyterian legislation regarding marriage with a deceased wife's sister, Mr. Wood has thrown his whole case away, and for the rest of this controversy his gun is spiked. Let me briefly recapitulate the facts. The *Ne Temere* decree applies to almost the whole of Catholic Christendom, but, for special reasons, has not yet been promulgated in Germany, and in one or two smaller provinces of Europe. This variation—in what is, so far as *Ne Temere* is concerned, a mere disciplinary decree—Mr. Wood professed to regard as 'morally monstrous' and as 'making the law of God regarding marriage a matter of geography and climate.' As I pointed out in my last letter, the thing of which Mr. Wood falsely accused the Catholic Church is the very thing of which his own Church has been conspicuously guilty; and, as I showed, it was not necessary to go to 'Hungary and Slavonia,' or even to 'Berlin, Hamburg, and Potsdam,' for instances of such legislative variation, but only to the boundary of our own province of Otago. For over two centuries the law for Presbyterians regarding marriage with a deceased wife's sister was that contained in the *Westminster Confession of Faith* (Chap. xxiv., s. 4), which not only condemns such marriages as invalid, but adds—'nor can such incestuous marriages ever be made lawful by any law of man, or consent of parties, so as those persons may live together as man and wife.' This was no mere disciplinary regulation—such as *Ne Temere* is—but was expressly set forth as the unchanging law of God which no human authority could ever annul. It was adhered to with scrupulous fidelity; and from all I have heard and read ministers of the old school would have cut off their right hand rather than have part or lot in any such unions. It affected the 'social interests and civil rights' of others besides Presbyterians. Every non-Presbyterian—Catholic, Methodist, Baptist, etc.—who married a Presbyterian within the prohibited relationship was brought within its scope; and to the unhappy couple in such a case—whether married by Catholic priest or Methodist or Baptist minister—the Presbyterian Church said: 'You are not married at all and never can be; you are living not only in concubinage but in incest; your children are illegitimate; and it is not lawful—and never can be made

lawful by any consent between yourselves—that you should live together as man and wife.' Here is not mere incitement to wife desertion, but wife (or husband) desertion by compulsion. It is a much harder case than any which could arise under *Ne Temere*, for at least the latter offers the parties an easy opportunity of putting matters on a proper footing and of becoming man and wife. Yet that law was administered by Mr. Wood himself for several years; and this is the man who now denounces a much less drastic Catholic disciplinary regulation as 'infamous and intolerant,' and who loses his sleep at nights because of its 'immorality and intolerance' and of its 'cruelty, intolerance, and iniquity.' And this is not all. In 1883, as I mentioned in my last letter, the northern Presbyterian Church decided to abrogate the 'law of God' as stated in the *Westminster Confession*, and to do that which the *Confession* says no law of man ever can do, viz., to make marriage with a deceased wife's sister perfectly lawful and honorable. The boundary between the two Churches was the Waitaki River, so that by merely crossing to either side intending candidates for matrimony were in the happy position of being able to take their choice of whichever law best suited their convenience. The Rev. Mr. Wood was at this time associated with the Otago Church, administering the older and more rigorous law. But in 1890—that is, while the Otago Church still adhered to the *Confession of Faith* enactment—Mr. Wood was inducted to the pastorate of the Masterton Presbyterian Church. Thus by merely removing from Wyndham to Masterton, unions which a few days before he had had to condemn as invalid and 'incestuous' Mr. Wood was now in a position to freely celebrate as true and valid and honorable marriages. And, in face of all this, we now find him publicly expatiating on the iniquity of 'making the moral law of God regarding marriage a matter of geography and climate'! If Mr. Wood is so obtuse as not to realise the ludicrous light in which he places himself in this connection, it is satisfactory to reflect that your readers are not similarly afflicted. As mentioned in my last letter, the Presbyterian Churches of Scotland still adhere to 'the law of God regarding marriage' as set forth in the *Confession of Faith*, and the bearing of this fact on Mr. Wood's strictures regarding *Ne Temere* will be duly pointed out as occasion requires.'

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"It is no part of my purpose in drawing attention to these matters to in any way reflect on the Presbyterian Church, either present or past. Her belief being what it was—and in Scotland still is—she could not have acted otherwise than as she did; and she is entitled to the respect always due to a Church which is loyal to its convictions. My object in referring to Presbyterian legislation regarding marriage is (1) to show the grotesque inconsistency of the Rev. Mr. Wood in declaiming against the Catholic Church for varying her marriage law when his own Church has been, and still is, in the same position; and (2) to bring out the fact that as the Presbyterian legislation to which I have referred was treated by other Churches as being for all practical purposes a matter for Presbyterians, so the *Ne Temere* decree, which expressly legislates only for Catholics, is purely a domestic matter in regard to which other churches have no claim, and should have no desire, to interfere. The marriage doctrine of the *Confession of Faith* not only incites to wife and husband desertion, but compels it; and it affects the 'social interests and civil rights' of all non-Presbyterians—including Catholics—who may by marriage bring themselves within its scope. There is not a single objection which has been, or can be, advanced against *Ne Temere* which does not apply with still greater force to the Westminster enactment; and this—in so far as Mr. Wood makes it necessary—it will be my duty to show. But neither the Catholic Church—nor, so far as I know, any other Church—has ever felt called upon to fulminate against it, or to attempt in any way to interfere with Presbyterian legislation. The right which she has conceded to others, the Church insistently claims for herself; and to-day it is only the hopelessly prejudiced and unthinking by whom that claim is denied.—I am, etc.,

EDITOR N.Z. TABLET.

December 16.